



30 December 2025

OBJECTION: Planning Application 20250864 Retrospective Change of use of the land and buildings to offices with hard surfacing to create additional parking delivery area. Walnut Hill Nursery.

Following the submission of a revised Transport Statement and the removal of the holding objection by Kent Highways I felt compelled to make comment on this Planning Application.

This Application is **retrospective** use of the land and buildings to offices. Since its change of ownership this property has not been used as an office but as a Commercial Depot. Any office element cannot be separated. This was also stated in the decision by the Planning Inspectorate who upheld the Enforcement Notice on Appeal:

Paragraph 9: ...the **commercial vehicles are a main part of the business and without these vehicles the business would not be able to be undertaken. Accordingly, I am not persuaded that the office is the primary use of the site...**

Approving any element of this Planning Application will undermine and weaken the Enforcement Action supported by the Planning Inspectorate and enable the commercial operations at this site to continue. Non-Compliance with both Enforcement Notice deadlines has occurred and full use of the site as a depot is still taking place even following a warning of prosecution by Gravesham Planning Enforcement Team.

Revised Transport Statement

This revised Transport Statement we understand was produced following a meeting between the Applicants Agent with Kent Highways on 29 Oct 25. Therefore, the revised Transport Statement has been produced with the sole purpose to satisfy Kent Highways concerns to remove their Holding Objection. The original and revised Transport Statements give a false representation of the actual use of the site and Highway Impact:

- Being able to manipulate statistics that have changed between the two Transport Statements using data to provide a required outcome proves the figures cannot be given any weight.
- This site continues to be used as a 24/7 depot using the office, land and additional outbuildings built on site by the applicant.
- If ACTUAL vehicle movement data was collected 6th/7th February 25 why was this not detailed in the previous Transport Statement or submitted at the Planning Inspectorate Hearing?

- The site traffic reported in Table 2.3 of the revised Transport Statement as provided by the applicant cannot be relied on as it is not independent or verified. The figures also focus on two chosen one hour time periods which have no relation to the 24/7 operation of this commercial depot, therefore giving a false indication of the vehicle movement volumes.
- Concerns regarding road safety and the limited passing spaces on rural access roads have not been addressed.
- How can the application state that the office will result in a reduction in commercial vehicle traffic when this is not just an office but an active 24/7 depot with constant commercial vehicle movements.
- Based on the revised Transport Statement prediction of 10 vehicle movements in each of the am and pm peak hours Kent Highways consider the level of movements resulting from this Planning Application to not have any significant impact on the Highway. This is a retrospective application and as such the actual impact on the highway is already being seen. The 10-car prediction does not reflect the actual highway impact being witnessed daily.
- The impact the traffic generated by this site has on the rural lanes has been discussed extensively and far exceeds that implied by the Transport Statement. As per para 47 of the Planning Inspectorate Appeal Decision dated 8 April the Transport Statements still do not reflect the actual impact of the site and conflict with Local Plan Policies
- Attached is a spreadsheet showing vehicle movement data for 2 separate weeks. This also shows that the traffic volume generated by this site accounts for a significant percentage (approximately 1/3) of the total vehicles using Walnut Hill Road and that van movements are extensive. The Company is also growing and expanding.
- How can a Travel Plan produced by the applicant with a focus on car sharing have any impact when many of the vehicles attending site relate to the commercial business activities. However, the commercial vehicles have noticeably been excluded from this Planning Application and the Transport Statements.
- What can be achieved from a Travel Plan that would be monitored and reviewed by the applicant. How would this guarantee any real consideration of highway impact given the actions of this Applicant and the totally inappropriate use of the site as an Operating Centre and thinking large HGV's using the rural lane is acceptable.

Summary

This site has operated as a commercial depot for almost 2 years. It has been subject to extensive development and the agricultural land abused. Multiple Planning Applications have been submitted and refused. Enforcement Action commenced but paused pending an Inspectorate Hearing appeal hearing following an Appeal which upheld the Enforcement Notice. The Planning procedures that exist to control and protect the land have been consistently ignored and manipulated and this application is just another stage in this process.

I would ask the following questions

- How can retrospective use of the office be applied for when this site has been proven as being used as a commercial depot and is subject to an Enforcement Notice
- When does an office have a significant number of company commercial vehicles that come and go all day and outside office hours
- When does an office require an outbuilding (which is not pre-existing or has any planning permission) to provide 24-hour toilet/washroom facilities
- Why does the office require extensive additional parking areas based on the level of their own predicted vehicle movement data
- When does an office have permanently sited skip(s) for commercial waste to be unloaded from vans/trucks?
- When does an office have permanently sited bulk ad blue for the commercial fleet vehicles?
- When does an office have their own HGV tankers visiting site? an HGV was even on site at 11pm on Christmas Eve.
- When does an office have more commercial vehicles using the site than office staff vehicles
- Why does an office need 7ft gates (without any planning permission) to obscure their activities
- Why would an office store and work on Track Cars on site
- Why would an office operate 24/7 – the conflict with Policy CS19 of the LPS still exists. Planning Inspectorate Decision Para 41- 43 addressed this. This site continues to operate 24/7
- Why is commercial civil engineering stock and equipment still stored on site

The answer is that this is not, has not, and will never be just an office as it is integral to the commercial operations of the Applicants business(s). Unless Gravesham Council refuse this Application and undertake full Enforcement Action this Commercial Operation will continue.

Outbuildings still exist on site that have not been subject to any Planning Approval (including the Outbuilding included in this application). Buildings that have been refused planning permission still stand and are in full use, in the case of the metal frame this was even completed with a roof built after planning permission was refused.

We implore the council to refuse this application in full and to recognise this application as another attempt to secure the use of this site for commercial purposes and to obtain by misinformation Planning Permission for the new outbuilding, which the Applicant brought onto site and connected to services and plumbing soon after purchase of the property,

The main Office building was originally approved on the basis that it supported the agricultural status of the land. As per the Enforcement Notice this site needs to be viewed as a whole. The office cannot be viewed in isolation particularly when it is central to a Commercial business that extends beyond the site and cannot be quantified.

Given the Planning history and the extensive non-compliance, it must be acknowledged that any approval of this application even in part with conditions will just further delay and weaken Enforcement Action and will enable the commercial use of this site to continue. Any attempt to control the use of this site with conditions will be futile as they will just be ignored, and who will monitor and ensure compliance anyway. This property is currently being marketed as a mixed-use commercial property – it isn't – it is an agricultural property in the green belt under an Enforcement Notice for unauthorised change of use.

This Application needs to be refused – no negotiation – no partial approval with conditions but refused to allow Full Enforcement, as supported by the Planning inspectorate, to be undertaken. Without strong defined action the unlawful use of this site will continue. Does the Local Authority have the resources to continue monitoring this site and enforcing non-compliance?

First 4 Drains Movements											All Other General Traffic on Walnut Hill Road					
	HGV's		Vans		Cars			Cars/Vans/Lorries								
Date	OUT	IN	OUT	IN	OUT	IN	Total	UP	DOWN	M/Cycles	Veh. Total	Total Vehicles	% of Walnut Hill Road Traffic Relating to WHN site			
Sunday 18 May 25 PM	3	2	1	1	2	3	12	29	19	8	56	68	17.6			
Monday 19 May 25	6	7	14	15	10	11	63	56	56	3	115	178	35.4			
Tuesday 20 May 25	5	5	8	7	15	16	56	90	75	7	172	228	24.6			
Wednesday 21 May 25	5	6	14	9	8	11	53	67	50	4	121	174	30.5			
Thursday 22 May 25	6	7	7	12	12	11	55	61	59	2	122	177	31.1			
Friday 23 May 25	4	3	16	8	18	16	65	64	86	0	150	215	30.2			
Saturday 24 May 25	3	3	0	1	5	3	15	34	53	3	90	105	14.3			
Tuesday 10 June 25	7	7	18	12	12	10	66	55	57	7	119	185	35.7			
Wednesday 11 June 25	3	3	16	15	11	7	55	56	54	1	111	166	33.1			
Thursday 12 June 25	4	6	20	23	10	15	78	70	58	5	133	211	37.0			
Friday 13 June 25	2	3	14	13	15	16	63	58	63	4	125	188	33.5			
Saturday 14 June 25	3	3	2	2	5	4	19	50	43	0	93	112	17.0			
Sunday 15 June 25	6	5	2	3	2	2	20	74	50	1	125	145	13.8			
Monday 16 June 25	4	6	10	8	16	14	58	65	70	6	141	199	29.1			